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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of

Stuart T. Gordon, et al

A METHOD OF PROCESSING A  
PHOTOGRAPHIC ELEMENT  
CONTAINING ELECTRON  
TRANSFER AGENT RELEASING  
COUPLERS

Serial No. US 10/928,132

Filed 20 December 2001

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Alexandria, VA 22313-1450

Sir:

**APPEAL BRIEF PURSUANT TO 37 C.F.R. 1.192**

Group Art Unit: 1752  
Customer No. 01333  
Examiner: Hoa Van Le

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### **APPELLANT'S BRIEF ON APPEAL**

Appellants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Final Rejection of Claims 1-6, 8-10, and 12-23 mailed June 25, 2003 which was maintained in the Advisory Action mailed October 24, 2003.

A timely Notice of Appeal was filed September 29, 2003.

### **Real Party In Interest**

The Eastman Kodak Company is the real party in interest.

### **Related Appeals And Interferences**

No appeals or interferences are known which will directly affect or be directly affected by or have bearing on the Board's decision in the pending appeal.

### **Status Of The Claims**

Appendix I provides a clean, double-spaced copy of the claims on appeal.

### **Status Of Amendments**

An Amendment After Final Rejection was filed on August 14, 2003 that amended claims 1 and 14 and canceled claim 7. A Declaration Under 32 C.F.R. 1.132 was filed with the Amendment. The Amendment was entered in an Advisory Action dated August 29, 2003, which confirmed the rejection of all of the pending claims. A Second Response After Final Rejection, which did not amend the claims, was filed on September 25, 2003.

### **Summary Of The Invention**

The basic processes for obtaining useful color images from exposed color photographic silver halide materials include several steps of photochemical processing such as color development, silver bleaching, silver halide fixing and water washing or dye image stabilizing using appropriate photochemical compositions and automatic processing machines. Photographic color developing compositions are used to provide the desired dye images early in the

photoprocessing method. Such compositions generally contain color developing agents, for example, 4-amino-3-methyl-N-(2-methane sulfonamidoethyl)aniline, as reducing agents to react with suitable color forming couplers to form the desired dyes

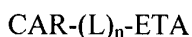
Traditionally, the color development process has required one or two days for providing the customer with the desired prints. In recent years, customers have wanted faster service, and in some locations known as "mini-labs", it is desired to provide the customer with the desired prints within an hour. This requires the photoprocessing methods to be even faster, and reducing the processing time to within a few minutes is the ultimate desire in the industry. Much effort has been directed towards co-optimizing photographic film/paper and processes for very short processing times of two minutes or less.

Reduction in processing time of the "display" elements or color photographic papers has been facilitated by a number of recent innovations, including the use of predominantly silver chloride emulsions in the display elements. Color negative films, however, generally comprise little or no silver chloride in their emulsions, and generally have silver bromide as the predominant silver halide. More typically, the emulsions are silver bromoiodide emulsions with silver iodide levels up to several mol percent. Such films require these types of emulsions because emulsions containing high silver chloride have not demonstrated sufficient light sensitivity to be used as camera speed materials although they have the advantage of being rapidly processed without major changes to the color developer solution.

When color negative films are processed using a development time of less than 120 seconds, non-neutral changes in color balance result. Specifically, the bottom layer is impacted more than the top layer so a film that yields balanced contrast between layers in a standard development cycle will produce unwanted contrast mismatches when processed through a shortened development time.

This invention provides a method of processing a silver bromoiodide photographic element comprising contacting a certain photographic

element with a color developer for 20 to 120 seconds (page 3, line 17). The photographic element comprises a support and more than one dye forming unit (page 3, line 20), wherein the least light sensitive layer of the dye forming unit closest to the support (page 26, line 17) contains about  $6 \mu\text{mole}/\text{m}^2$  to about  $500 \mu\text{mole}/\text{m}^2$  (page 7, line 1) of an electron transfer agent releasing compound represented by the formula:



wherein:

CAR is a carrier moiety which is capable of releasing  $-(\text{L})_n\text{-ETA}$  on reaction with oxidized developing agent;

L is a divalent linking group, with the proviso that L is not  $-\text{O}-\text{CO}-$ ; n is 0, 1, or 2; and

ETA is a releasable 1-aryl-3-pyrazolidinone electron transfer agent having a calculated log partition coefficient (c log P) greater than or equal to 2.40 bonded to L or CAR through either the nitrogen atom in the 2-position or the oxygen attached to the 3-position of the pyrazolidinone ring (page 3, line 22).

This invention allows for the design of films that provide neutral contrast in shortened development times, while still maintaining good curve shape in standard development cycles. The specific ballasted ETARCs used in the invention can be selectively coated in the appropriate record to provide contrast enhancement in whichever areas of the curve need it. Unlike the prior art, which involves the release of electron transfer agents in a non-imagewise manner when used with rapid processing, this invention provides the imagewise release of electron transfer agents. Such imagewise release provides benefits in imaging performance. The image-wise release from an ETARC enables a high concentration of ETA to be present where development is going on to amplify the signal. Also, in non-imagewise areas there is little or no release of ETA so that indiscriminate fog density is not amplified as it would be from the non-imagewise release disclosed in the prior art. Thus, imagewise release amplifies the desired

signal more effectively and the undesirable noise less effectively than could be achieved from a non-imagewise release.

### **Issues For Review By The Board**

The following issues are presented for review by the Board of Patent Appeals and Interferences:

1. Whether Claims 1-6, 8-10 and 12-23 are unpatentable under 35 U.S.C. 103(a) over Nakai et al (5,830,627) alone or with Lunt et al (6,110,657).

### **Grouping Of Claims**

Claims 1-6, 8-10 and 12-23 will stand or fall together as a single group.

### **Arguments**

#### ***The Rejection***

In the Final Office Action the Examiner rejected Claims 1-10 and 12-23 under 35 U.S.C. 103 (a) as being unpatentable over Nakai et al (5,830,627 as submitted) alone or with Lunt et al (6,110,657 as submitted). The Examiner stated:

“Nakai et al disclose, teach, suggest, demonstrate and reduce to practice with a method for a color development of a photosensitive silver bromiodide photographic material in less than 200 seconds; wherein a dye-forming unit containing a compound being read on the general formula as claimed being close to a support of the photographic material. Please see the whole disclosure of each of the applied references, especially in Nakai et al. at compounds 29-30, 34-35, 38, 42, 45-48, 53-54, 57 and 86-94, col.79:23 to 81:14 and Examples. Since Nakai et al. disclose, teach, suggest, demonstrate and reduce to practice the essential and main embodiments of the claimed invention, claims 1-23 are found to be rendered prima facie obvious by Nakai et al alone. Lunt et al. compound E-2, which is the same as that elected species of the record, and its equivalent compounds E(1 and 3-17) and C(1-3) are applied in a dye-forming unit being close to a support of a photosensitive silver bromiodide photographic material. Please also especially in Lunt et al. at Examples. Since the above references are related to the related compounds being applied in a dye-forming unit which is close to the support of a photosensitive silver bromiodide photographic material and a color developing

process in less than 200 seconds as claimed, it would have being obvious to one having ordinary skill in the art at the time the invention was made to apply or use the related compound from Lunt et al. as those disclosed, taught, suggested, demonstrated and reduced to practiced to obtained the same or substantially the same result as disclosed, taught, suggested, demonstrated, reduced to practices and obtained in Nakai et al. The showings in the Examples of the instant application have been considered but are insufficient and much more broader than those being drawn in the claims. For the newly added language "least light sensitive layer", please especially see Nakai et al. at col. 132:54 and "contrast enhancing amount", please especially see Nakai et al. at col. 132:55. Applicants are urged, requested and required to show by a convincing evidence that (1) none of the applied compounds would be able to provide a contrast enhancement and (2) the applied amount about 0.35 mmol/m<sup>2</sup> is not a contrast-enhancing amount as a matter of law. An argument alone is given a little value since it is insufficient to take a place of a convincing evidence as required by law."

In the Advisory Action the Examiner further stated that the Declaration submitted did

"NOT place the application in condition for allowance because: (1) the showings under Rule 132 have and given no value since the NaKai et al compared compound 2 is not relied on in the rejection on the record. Compound 57 as shown in Nakai et al Example 1, TABLE 2, Sample No. 107 is considered to be close and should have been tested instead of the non-relied up on and applied compound 2 and (2) Applicants urge that the general formula as broadly claimed is not now intend to include a Zn compound since the Office have discovered and applied by the Office on the record. There is no such exclusion embodiment in the claims as intended. Accordingly, the arguments alone are given no value as clearly pointed out and set forth on the record. Applicants should have provide an evidence that each of the applied Nakai et al compounds 29-30,34-35, 38,42, 45-48, 53-54, 57 and 86-94 does not have a property of the functional language in the claims as clearly pointed out and set forth on the record and allowed to be required by law. The claims have and are given no patentable value until applicants convincingly show such evidence as allowed and required by law."

***Appellants' Rebuttal***

Appellants respectfully disagree with the final rejection in all respects. Nakai's invention requires that a certain class of PUG releasing compound react with a complexing agent in the developer during processing in order to boost the contrast of the red record in rapid development. Nakai does not teach that an advantage will be achieved in "standard" chemistry with a shorter development time. It is not the positioning in the photographic element of the PUG releasing compound of Nakai that is important, rather it is the inactivation by chelation which is vital.

The compounds of Nakai that release a PUG must be compounds which are deactivated by chelation with a metal. This is a totally different class of compounds than those utilized in Appellants' invention. Further, the vast majority of the compounds of Nakai are differentiated from the compounds of the invention by other additional features. Specifically, compounds 29-30, 34-35 and 86-94 are complexes that release ETA upon reaction with a specific complexing component of the developer solution in a non-imagewise manner, rather than in an imagewise manner as required for the compounds of Appellants' invention. Compounds 38, 45-47, 57 are couplers that release ETA in an imagewise manner, but the coupler moieties are further complexed to Zn and so are deactivated until they react with a particular component in the developer solution. Therefore, the above compounds do not release  $-(L)_n$ -ETA solely on reaction with oxidized developing agent; rather they require a chelating agent for release. Further, Compound 57 appears to contain an O-CO- linking group, which is excluded from the definition of the compounds of the invention; and Compounds 45-47 release an ETA that has a clog P of less than 2.4, which are also outside of the current claims.

Compounds 42 and 48 release an inhibitor-like molecule, not an ETA. Compound 53 is an ETARC where the ETA is not active until the Zn is removed by reaction with a specific chelating component of the developer solution. Additionally, Compound 53 releases an ETA which has a clog P which is less than 2.4. Compound 54 is a polymeric compound which is outside the



current claims. Therefore, all of the Compounds listed by the Examiner, except Compound 38, are structurally outside of the current claims. As discussed above, all of these Nakai compounds, including Compound 38, require the presence of a complexing agent in the developer solution that undergoes a reaction with the Zn in the ETA releasing compound that releases or activates the ETA and are therefore quite different from the compounds of Appellants' invention.

Appellants' invention does not require a chelating agent in the developer that will displace the metal atom from the ETA containing material. Imagewise reaction with oxidized developer at the coupling site of the ETARC is all that is needed. . The compounds of the invention do not include a chelating group such as described in Nakai. Such a group is not shown in the structure of the inventive compounds nor is it described in the specification.

During prosecution Appellants submitted a Declaration which shows that the compounds of Nakai do not increase contrast unless there is a specific complexing agent in the developer, i.e., 2,6-pyridinedicarboxylic acid. In fact, the compounds of Nakai actually decrease contrast when used in a photographic element without special development conditions. This clearly differentiates the compounds of Appellants' invention, which do not require a specific complexing compound in the developer in order to increase contrast.

Appellant produced three separate coatings for the tests, which included a check film without any Zn complex and two films with different levels of the Zn complex (Compound 2 of Nakai). These were processed in various developer compositions. Appellants wish to highlight two observations from the data table. Comparing result 1 with result 2 shows that the presence of 2,6-pyridine dicarboxylic acid can increase the contrast of a film that does NOT contain the Zn complex ETARC precursor of Nakai. Results 4 and 6 confirm the results of Nakai that the incorporation of the Zn complex can boost the contrast of the layer that it is coated in when the developer includes a tridentate ligand compound such as 2,6-pyridine dicarboxylic acid. However, comparing results 1, 3, and 5 show that the Zn complex is actually detrimental to the processing of the film when no 2,6-

pyridine dicarboxylic acid is used. Incorporation of the Zn complex is deleterious to the processing of the film under such conditions.

In the Advisory Action dated August 29, 2003, the Examiner stated that the Rule 132 Declaration submitted by Appellants was given no value since it did not compare the compound considered to be closest in the prior art, i.e., compound 57 of Nakai. It further stated that Appellants should provide evidence that all of Compounds 29-30, 34-35, 38, 42, 45-48, 53-54, 57, and 86-94 of Nakai do not have the property of the functional language of the claims and as set out in the record. As a threshold matter, as noted above, most of these compounds are outside of the current claims.

Secondly, such a showing would be extremely onerous. Appellants wish to point out that the Nakai reference clearly states in claim 1 that the compounds claimed therein have "a photographically useful compound which is inactivated by the chelation with a metal and is active when chelation with metal is removed." At Column 4, line 59 Nakai states that "A compound having a photographically useful compound which is inactivated by the chelation with a metal according to the present invention will be described in detail below." Further on in the same column it states that any compound which has a photographically useful compound and has high reactivity with a water soluble chelating agent contained in a color developing solution raises a chelate exchange reaction with the chelating agent and releases the photographically useful compound. Therefore, Nakai itself provides the evidence that the compounds therein are inactive and do not work unless there is a chelating agent in the developer. The Declaration submitted by Appellants shows that there is no activity by the ETA of Nakai when used in a developer without a chelating agent and that the compound did work when the chelating agent was present. There is no reason to believe that Compound 57, or any other Nakai compound, would not have the same results since Nakai equates Compound 2 with Compound 57 with regard to the effect of the chelating agent. In contrast the electron transfer agent releasing compounds of the invention do work in a developer without a chelating agent.

The ballasted ETARC couplers of the current invention provide a unique and effective way to amplify the signal in the film layer that they are incorporated in, especially in a rapid developer process. The method is independent of any additional developer component, such as the 2,6-pyridine dicarboxylic acid. This is particularly advantageous in replenished developer systems where the concentration of the 2,6-pyridine dicarboxylic acid would be critical. In addition, it is proposed that the activity of the Zn complex might change as the developer seasons due the addition of other metal ions to the developer solution such as Ca that could compete for the 2,6-pyridine dicarboxylic acid ligand. The response of an ETARC precursor Zn complex that is dependent on the presence of a tridentate ligand such as 2,6-pyridine dicarboxylic acid to attain activity is NOT indicative of the response and activity of ballasted ETARC couplers of the current invention.

Lunt, while it does disclose the ETARCS utilized in Appellants' invention, would not be combined with Nakai by one skilled in the art to arrive at Appellants' invention. One skilled in the art would realize that the compounds of Lunt are not deactivated by chelation with a metal. Nakai, in fact, teaches away from a combination with Lunt.

### **Summary**

With respect to the 35 USC 103 rejection the compounds of Nakai that release a PUG must be compounds which are deactivated by chelation with a metal. This is a totally different class of compounds than those utilized in Appellants' invention. The compounds of the invention do not include a chelating group such as described in Nakai. Such a group is not shown in the structure of the inventive compounds nor is it described in the specification. The compounds of Nakai do not increase contrast unless there is a specific complexing agent in the developer, i.e., 2,6-pyridinedicarboxylic acid. In fact, the compounds of Nakai actually decrease contrast when used in a photographic element without special development conditions. This clearly differentiates the compounds of Appellants' invention which do not require a specific complexing compound in the developer in order to increase contrast. Lunt would not be combined with Nakai by one skilled in the art to arrive at Appellants' invention. One skilled in the art would realize that the compounds of Lunt are not deactivated by chelation with a metal. Nakai, in fact, teaches away from a combination with Lunt.

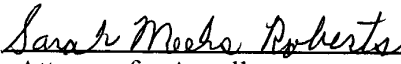
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Group Art Unit: 1732

**Conclusion**

For the above reasons, Appellants respectfully request that the Board of Patent Appeals and Interferences reverse the rejection by the Examiner and mandate the allowance of Claims 1-10, and 12-23.

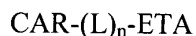
Respectfully submitted,

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Enclosures

  
\_\_\_\_\_  
Attorney for Appellants  
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### **Appendix I - Claims on Appeal**

1. (previously presented) A method of processing a silver bromiodide photographic element comprising contacting the photographic element with a color developer for 20 to 120 seconds; wherein the photographic element comprises a support and more than one dye forming unit, and wherein the least light sensitive layer of the dye forming unit closest to the support contains about  $6 \mu\text{mole/m}^2$  to about  $500 \mu\text{mole/m}^2$  of an electron transfer agent releasing compound represented by the formula:



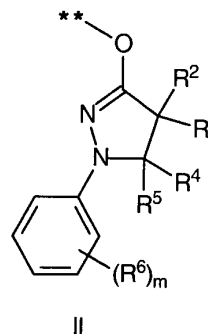
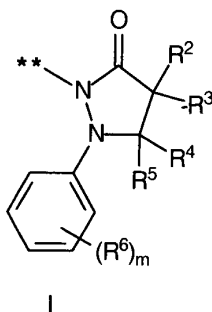
wherein:

CAR is a carrier moiety which is capable of releasing  $-(\text{L})_n\text{-ETA}$  on reaction with oxidized developing agent;

L is a divalent linking group, with the proviso that L is not  $-\text{O}-\text{CO}-$ ; n is 0, 1, or 2; and

ETA is a releasable 1-aryl-3-pyrazolidinone electron transfer agent having a calculated log partition coefficient ( $c \log P$ ) greater than or equal to 2.40 bonded to L or CAR through either the nitrogen atom in the 2-position or the oxygen attached to the 3-position of the pyrazolidinone ring.

2. (original) The method of claim 1 wherein ETA is represented by Formulas I or II



\*\*denotes point of attachment to  $\text{CAR-(L)}_n-$ ;

wherein:

$R^2$  and  $R^3$  each independently represents hydrogen, a substituted or unsubstituted alkyl group having from 1 to 12 carbon atoms,  $CH_2OR^7$  or  $CH_2OC(O)R^7$  where  $R^7$  is a substituted or unsubstituted alkyl, aryl, or a heteroatom containing group;

$R^4$  and  $R^5$  each independently represents hydrogen, a substituted or unsubstituted alkyl group having from 1 to 8 carbon atoms or a substituted or unsubstituted aryl group having from 6 to 10 carbon atoms;

$R^6$  is a substituent; and m is 0 to 5; wherein when m is greater than 1, the  $R^6$  substituents may form a carbocyclic or heterocyclic ring.

3. (original) The method of claim 2 wherein  $R^2$  and  $R^3$  are independently alkyl,  $CH_2OR^7$  or  $CH_2OC(O)R^7$  groups containing 3 to 8 carbon atoms;  $R^4$  and  $R^5$  are hydrogen,  $R^6$  is independently a halogen, a substituted or unsubstituted alkyl group having from 1 to 8 carbon atoms, a substituted or unsubstituted alkoxy group having from 1 to 8 carbon atoms, an amido, sulfonamido, ester, cyano, sulfone, carbamoyl, uriedo group, or a heteroatom containing group or ring.

4. (original) The method of claim 2 wherein  $R^4$  and  $R^5$  are hydrogen; and  $R^2$ ,  $R^3$ , and  $R^6$  are as represented in the following table:

**TABLE**

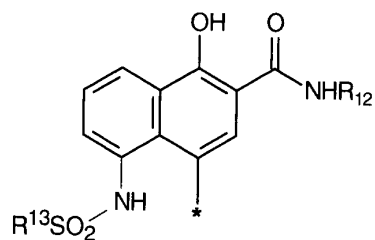
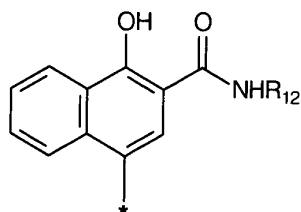
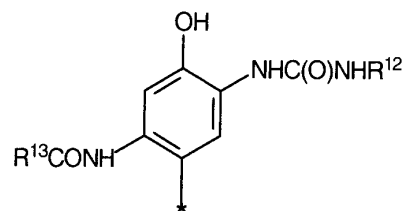
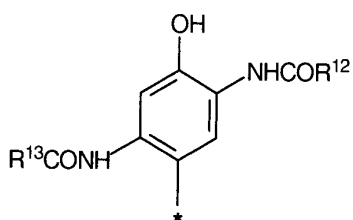
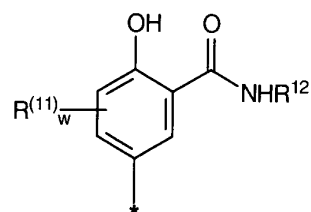
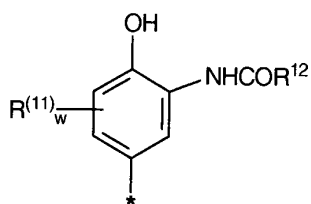
ETA No.	$R^2$	$R^3$	$R^6$
1	CH <sub>3</sub>	CH <sub>2</sub> OC(O)iPr	H
2	CH <sub>3</sub>	CH <sub>2</sub> OC(O)tBu	H
3	CH <sub>3</sub>	CH <sub>2</sub> OC(O)Et	p- CH <sub>3</sub>
4	CH <sub>3</sub>	CH <sub>2</sub> OC(O)Et	3,4-dimethyl
5	H	CH <sub>2</sub> OC <sub>4</sub> H <sub>9-n</sub>	p-OCH <sub>3</sub>
6	CH <sub>3</sub>	CH <sub>2</sub> OC(O)CH <sub>2</sub> -O-(CH <sub>2</sub> ) <sub>2</sub> S(CH <sub>2</sub> ) <sub>2</sub> SMe	H

5. (original) The method of claim 1 wherein CAR is a coupler moiety.

6. (original) The method of claim 5 wherein the coupler moiety is a phenol or naphthol coupler moiety.

7. (canceled)

8. (previously amended) The method of claim 6 wherein the coupler moiety is represented by the structures:





\* denotes link to  $-(L)_n$ -ETA

where  $R^{12}$  and  $R^{13}$  are independently a ballast group, a hydrogen, or a substituted or unsubstituted alkyl or aryl group,  $R^{11}$  is a halogen atom, an alkyl group having from 1 to 4 carbon atoms or an alkoxy group having from 1 to 4 carbon atoms, and w is 1 or 2.

9. (original) The method of claim 1 wherein the ETA has a calculated log partition coefficient (c log P) between and including 2.40 and 3.50.

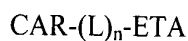
10. (original) The method of claim 1 wherein the dye forming unit closest to the support is the red dye forming unit.

11. (canceled)

12. (original) The method of claim 1 wherein the silver bromiodide photographic element is contacted with the color developer for 100 seconds or less.

13. (original) The method of claim 1 wherein the silver bromiodide photographic element is contacted with the color developer for 60 seconds or less.

14. (previously presented) A method of processing a silver bromiodide photographic element comprising contacting the photographic element with a color developer for 20 to 100 seconds; wherein the photographic element comprises a support and more than one dye forming unit, and wherein the least sensitive layer of the dye forming unit closest to the support contains about  $6 \mu\text{mole/m}^2$  to about  $500 \mu\text{mole/m}^2$  of an electron transfer agent releasing compound represented by the formula:

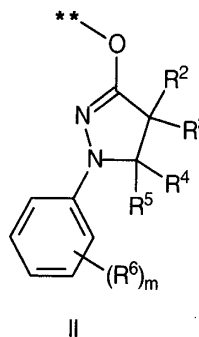
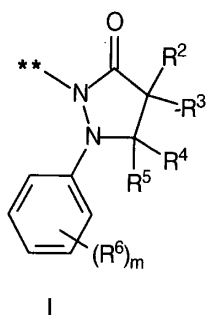


wherein:

CAR is a coupler moiety which is capable of releasing  $-(L)_n$ -ETA on reaction with oxidized developing agent;

L is a divalent linking group, with the proviso that L is not  $-O-CO-$ ; n is 0, 1, or 2; and

ETA is a releasable 1-aryl-3-pyrazolidinone electron transfer agent having a calculated log partition coefficient (c log P) greater than or equal to 2.40 wherein ETA is represented by the formulas:



\*\*denotes point of attachment to  $CAR-(L)_n$ ;

wherein:

$R^2$  and  $R^3$  each independently represents hydrogen, a substituted or unsubstituted alkyl group having from 1 to 12 carbon atoms,  $CH_2OR^7$  or  $CH_2OC(O)R^7$  where  $R^7$  is a substituted or unsubstituted alkyl, aryl or a heteroatom containing group;

$R^4$  and  $R^5$  each independently represents hydrogen, a substituted or unsubstituted alkyl group having from 1 to 8 carbon atoms or a substituted or unsubstituted aryl group having from 6 to 10 carbon atoms;

$R^6$  is independently a substituent; and m is 0 to 5 wherein when m is greater than 1, the  $R^6$  substituents may form a carbocyclic or heterocyclic ring.

15. (original) The photographic element of claim 14 wherein  $R^2$  and  $R^3$  are independently alkyl,  $CH_2OR^7$  or  $CH_2OC(O)R^7$  groups containing 3 to 8 carbon atoms;  $R^4$  and  $R^5$  are hydrogen; and  $R^6$  is independently a halogen, a

substituted or unsubstituted alkyl group having from 1 to 8 carbon atoms, a substituted or unsubstituted alkoxy group having from 1 to 8 carbon atoms, an amido, sulfonamido, ester, cyano, sulfone, carbamoyl, uriedo group, or a heteroatom containing group or ring.

16. (original) The photographic element of claim 14 wherein R<sup>4</sup> and R<sup>5</sup> are hydrogen; and R<sup>2</sup>, R<sup>3</sup> and R<sup>6</sup> are as represented in the following Table:

TABLE

ETA No.	R <sup>2</sup>	R <sup>3</sup>	R <sup>6</sup>
1	CH <sub>3</sub>	CH <sub>2</sub> OC(O)iPr	H
2	CH <sub>3</sub>	CH <sub>2</sub> OC(O)tBu	H
3	CH <sub>3</sub>	CH <sub>2</sub> OC(O)Et	p- CH <sub>3</sub>
4	CH <sub>3</sub>	CH <sub>2</sub> OC(O)Et	3,4-dimethyl
5	H	CH <sub>2</sub> OC <sub>4</sub> H <sub>9-n</sub>	p-OCH <sub>3</sub>
6	CH <sub>3</sub>	CH <sub>2</sub> OC(O)CH <sub>2</sub> -O-(CH <sub>2</sub> ) <sub>2</sub> S(CH <sub>2</sub> ) <sub>2</sub> SMe	H

17. (original) The method of claim 14 wherein the coupler moiety is a phenol or naphthol coupler moiety.

18. (original) The photographic element of claim 19 wherein the ETA has a calculated log partition coefficient (c log P) between and including 2.40 and 3.50.

19. (original) The method of claim 14 wherein the dye forming unit closest to the support is the red dye forming unit.

20. (original) The method of claim 14 wherein the electron transfer agent releasing compound is contained in the least light sensitive layer of the dye forming unit.

21. (original) The method of claim 14 wherein the silver bromiodide photographic element is contacted with the color developer for 60 seconds or less.

22. (original) The method of claim 1 wherein the dye forming unit closest to the support contains a development inhibitor releasing compound.

23. (original) The method of claim 14 wherein the dye forming unit closest to the support contains a development inhibitor releasing compound.